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Letter dated 4 January 2012 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General

I have the honour to forward to you a copy of the concept paper for the Security Council debate on the theme "Strengthening the Relationship between the United Nations and Regional Organizations, in Particular the African Union, in the Maintenance of International Peace and Security", to be held on 12 January 2012 (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Baso **Sangqu**
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of the Republic of South Africa

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Annex to the letter dated 4 January 2012 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General

Concept note on strengthening the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security

Introduction

South Africa will utilize its Presidency of the Security Council in January 2012 to continue exploring concrete measures for strengthening the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security. In that regard, the South African delegation will convene a summit-level thematic debate with the aim of adopting concrete measures to ensure greater coherence between the United Nations and the African Union in the area of conflict prevention, management and resolution of conflicts on the African continent.

Background

Chapter VIII of the Charter of the United Nations as well as the 2005 World Summit Outcome and Security Council resolution 1625 (2005) underscore the need to enhance partnerships between the United Nations and regional organizations in the prevention and peaceful settlement of disputes. In pursuit of that goal, over the years the African Union has undertaken in complex political environments peace support operations with the authorization of the Council in such places as Burundi, Somalia and the Sudan. Those operations have often occurred in cases where the African Union has comparative advantage and where conditions are not conducive to a United Nations peacekeeping role or when the Council has been divided on the best course of action.

Experience has shown that inasmuch as the African Union involvement in peace support operations goes a long way in enhancing stability, peace and security on the continent, it is, however, of great concern that this support is at times used in a manner to absolve the Council of its primary responsibility, in accordance with the Charter, for the maintenance of international peace and security.

As the African Union is approaching its tenth anniversary in 2012, it has made commendable strides with regard to peace and security on the continent, such as the launch of the African peace and security architecture. The African peace and security architecture provides the continent with noteworthy conflict prevention, resolution and management measures, as well as post-conflict peacebuilding and reconstruction. The Peace and Security Council of the African Union, the continental early warning system, the Panel of the Wise, the African Standby Force and the Post-Conflict Reconstruction and Development Framework are constitutive elements of the African peace and security architecture in dealing with threats to stability and conflicts in the continent.

In an effort to translate into action its political commitment to stability, peace and security in Africa and multilateral cooperation in that regard, South Africa

utilized its first Security Council tenure in 2007/08 to launch a debate within the Council on its cooperation with the African Union in the maintenance of international peace and security. It culminated with the adoption of a presidential statement on 28 March 2007 (S/PRST/2007/7), the unanimous passing of Security Council resolution 1809 (2008) and the establishment of an African Union-United Nations high-level panel chaired by Mr. Romano Prodi on how the United Nations and African Union could explore the possibility of enhancing the predictability, sustainability and flexibility of financing of United Nations-mandated peace operations undertaken by the African Union. The last remains an issue of discussion in the broader United Nations setting.

Similarly, Article 33 of the Charter makes provision for the pacific settlement of disputes, in particular through mediation efforts at the disposal of the Security Council. South Africa therefore believes that existing United Nations mechanisms for peaceful conflict resolution, such as the Secretary-General's good offices; Special Envoys; the establishment of an early warning system; the deployment of special political missions and of the Mediation Support Unit of the Department of Political Affairs; the deployment of country teams; and the establishment of regional offices, as well as other diplomatic initiatives aimed at preventing conflicts, should be optimally utilized.

Given its limited resources to undertake peace support operations after disputes have escalated into deadly armed conflicts, the African Union strongly relies on preventive diplomacy and mediation through, for example the Panel of the Wise, high-level panels, and mediation efforts by subregional organizations (the Economic Community of West African States (ECOWAS) and the Southern African Development Community (SADC)) in dealing with challenges to stability, peace and security on the continent.

Needless to say, incipient and ensuing conflicts and challenges to peace and security globally and on the African continent make it imperative for the Security Council and regional organizations such as the Peace and Security Council of the African Union to deal with them in a collaborative manner. The two Councils therefore need to work together in a mutually reinforcing manner in the realization of the primary responsibility for the Security Council to maintain international peace and security.

Underlying motivation

More than 60 per cent of Security Council deliberations are concerned with Africa and 6 of the 14 peacekeeping operations of the United Nations and nearly 80 per cent of its peacekeepers are deployed on the African continent, which is sometimes marginalized. In addition, the Security Council has from the beginning of 2011 adopted 51 resolutions and 20 presidential statements, out of which a majority are on Africa. It is in the light of those activities, among others, that South Africa believes that more should be done and more can be done to enhance cooperation between the Security Council and regional organizations in the maintenance of peace and security. There has been some progress achieved in enhancing and strengthening the partnership between the African Union and the United Nations. In that context, the Peace and Security Council and the Security Council hold annual meetings to deliberate on issues on their respective agendas. The African Union and the United Nations are also collaborating on key peacekeeping missions and in

conflict situations, including in the Sudan (the African Union-United Nations Hybrid Operation in Darfur (UNAMID)) and Somalia (the African Union Mission in Somalia (AMISOM)). Both the African Union Commission and the United Nations Secretariat have made significant progress in terms of supporting operational deployments and long-term capacity-building as well as desk-to-desk cooperation. They are referenced in the report of the Secretary-General on United Nations-African Union cooperation in peace and security (see S/2011/805).

Nonetheless, there remains significant room for improvement, especially in the area of conflict prevention and mediation. Challenges still exist in achieving greater strategic political coherence between the United Nations and the African Union in preventing and managing conflicts on the continent. In the present era, the scale and complexity of the challenges of conflicts on the African continent demand increased cooperation between all actors. Addressing that challenge calls for effective relationships, improved coordination and a clear understanding of each other's strengths and weaknesses. The report of the Secretary-General states that United Nations experience in peacemaking, mediation and peacekeeping cooperation with the African Union indicates that partnerships work best when there are common strategic objectives and clear division of responsibilities based on shared assessments and concerted decisions between the two organizations.

In that regard, the development of common guidelines by the Secretariats of the United Nations and the African Union as a framework for mediation in Africa would be an important contribution to achieving coherence. The Secretary-General, in his report stresses that efforts to make the United Nations-African Union mediation partnership more coherent would ultimately depend on the degree to which this approach is adopted at the strategic level and supported by Member States.

Both the Peace and Security Council and the Security Council need to invest energy, time and resources with a greater focus on conflict prevention and mediation before disputes escalate into deadly armed conflicts that require costly peacekeeping operations. It is essential that the efforts by the African Union and the numerous subregional organizations across the African continent working on preventive diplomacy be recognized, respected and supported by the Security Council. Disregard for regional peace support initiatives has the potential to undermine the confidence regional organizations have in the Security Council as an impartial and widely respected mediator in conflicts.

The proposal by the Secretary-General in the above-mentioned report for the Secretariat and the African Union Commission, to provide, where possible, harmonized advice to the respective legislative bodies based on joint assessments to be taken into account prior to the finalization of respective decisions that involve both organizations, could address some of those challenges.

South Africa believes the Security Council should utilize the summit-level debate on 12 January 2012 to take stock of the African Union-United Nations strategic partnership and, more importantly, to adopt concrete measures to strengthen cooperation between the United Nations and the African Union in preventive diplomacy and mediation in the African continent. Action in that direction would in actual fact be consistent with recommendations made in resolution 1809 (2008) and in previous presidential statements, as well as in the African Union report on the United Nations-African Union partnership on peace and

security: towards greater strategic political coherence (2011) and the report of the Secretary-General on United Nations-African Union cooperation in peace and security.

Security Council debate

The Security Council debate on 12 January 2012 will offer an opportunity to address, at summit level, ways in which greater strategic political coherence between the United Nations and the African Union can be consolidated and enhanced in the area of conflict prevention, management and resolution of conflicts on the African continent. In particular, the meeting could address the following questions:

- How can the Council support African Union political processes that seek to renew focus on preventative diplomacy and mediation efforts on the African continent?
- How can coherence be improved and decision-making on issues on the agenda of both the Peace and Security Council and the Security Council be harmonized?
- How will it be possible to ensure complimentarity of efforts and avoid competition and/or duplication, especially in cases where the two Councils undertake joint mediation and peacekeeping efforts?
- How can coordination be improved on the institutional level between the Security Council and the African Union Peace and Security Council, in particular to ensure in-depth preparation and follow-up by the two Councils on annual meetings?
- How will it be possible to take advantage of the complimentary capacities and comparative advantages of regional organizations in the prevention and resolution of conflicts?

It is hoped that the debate on 12 January 2012 will be forward-looking and focused, with practical recommendations to be reflected in a Security Council resolution that is proposed to be adopted after the thematic debate.